

Counsel Listed on Next Page

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

FISHER INVESTMENTS, INC., a California
corporation,

Plaintiff,

v.

MORGAN STANLEY DW, INC., a
Delaware corporation, and DOES 1-10,
inclusive,

Defendants.

Case No. C 07 2547 JCS

**STIPULATION CONTINUING DUE
DATE OF DEFENDANT MORGAN
STANLEY & CO., INC.'S (F/K/A
MORGAN STANLEY DW, INC.)
RESPONSE TO PLAINTIFF'S
COMPLAINT**

LOCAL RULE 6-1(a)

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16 Attorneys for Plaintiff
17 Fisher Investments, Inc.

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Attorneys for Defendant
Morgan Stanley & Co., Inc.
(f/k/a Morgan Stanley DW, Inc.)

1 Plaintiff Fisher Investments, Inc. ("Plaintiff" or "Fisher"), on the one hand, and Defendant
2 Morgan Stanley & Co., Inc. (f/k/a Morgan Stanley DW, Inc.) ("Defendant" or "Morgan
3 Stanley"), on the other hand, through their respective counsel, HEREBY STIPULATE and
4 AGREE pursuant to Local Rule 6-1(a) as follows:

5 1. Plaintiff Fisher filed its Complaint ("Complaint") in the Superior Court for the
6 County of San Mateo on April 12, 2007, and served it on April 13, 2007. Defendant Morgan
7 Stanley removed the complaint to federal court on May 14, 2007. Accordingly, Morgan Stanley's
8 response is due on May 21, 2007. The parties stipulate and agree that Defendant's time to
9 respond to Plaintiff's Complaint shall be continued fifteen (15) days, until June 5, 2007.

10 SO STIPULATED.

11 Dated: May 16, 2007

JOSEPH W. COTCHETT
NANCY L. FINEMAN
COTCHETT, PITRE & McCARTHY

13 SCOTT METZGER
14 ANNA F. ROPPO
DUCKOR SPRADLING METZGER & WYNNE

16 By: _____/s/_____
17 Anna Roppo
18 Attorneys for Plaintiff
Fisher Investments, Inc.

19 Dated: May 16, 2007

TRISH M. HIGGINS
MICHAEL D. WEIL
ORRICK, HERRINGTON & SUTCLIFFE LLP

22 By: _____/s/_____
23 Michael D. Weil
24 Attorneys for Defendant
25 Morgan Stanley & Co., Inc.
(f/k/a Morgan Stanley DW, Inc.)

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1 I hereby attest that the concurrence in the filing of this document has been obtained from
2 Anna Roppo, Attorney for Plaintiff, Fisher Investments, Inc.

3
4 By: _____/s/
5 Michael D. Weil
6 Attorneys for Defendant
7 Morgan Stanley & Co., Inc.
8 (f/k/a Morgan Stanley DW, Inc.)
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